

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 13-3348

In re: JOHN T. PICKERING-GEORGE,
Petitioner

Petition for Writ of Mandamus from the
District Court of the Virgin Islands
(Related to D.V.I. Civil No. 10-cv-00079)

Submitted Pursuant to Rule 21, Fed. R. App. P.
August 29, 2013
Before: FUENTES, FISHER and VANASKIE, Circuit Judges

(Opinion filed: September 10, 2013)

OPINION

PER CURIAM

John Pickering-George has filed a petition for a writ of mandamus. It is difficult to discern what he is requesting, but it appears that he is complaining about the failure of the District Court of the Virgin Islands to respond to his motion for subpoenas. For the following reasons, we will deny the petition.

In July 2010, Pickering-George initiated an action in the District Court of the Virgin Islands. See Pickering-George v. Dowdye, et al., No. 10-cv-00079. The nature of

Pickering-George's action was unclear, but the District Court construed it as seeking a certificate of adoption from the Virgin Islands Office of Vital Statistics. By order entered September 17, 2012, the District Court dismissed Pickering-George's claims as to certain defendants and on December 6, 2012, the District Court dismissed the remainder of the claims for lack of subject matter jurisdiction. Thereafter, Pickering-George filed several motions, which the District Court interpreted as motions for reconsideration. One of the motions was captioned "Ex Parte Motion for Service of Subpoenas . . ." It sought the issuance of subpoenas of unidentified documents. The District Court concluded that any request for subpoenas was moot in light of its dismissal of all of the claims and denied the motion to the extent that it sought reconsideration of the September 17, 2012 and December 6, 2012 orders. Thus, by order entered July 1, 2013, the District Court responded to Pickering-George's motion for subpoenas. Accordingly, to the extent Pickering-George seeks an order directing the District Court to rule on his motion for subpoenas, we will deny the mandamus petition as moot. To the extent he seeks additional relief via mandamus, we will deny the petition.

Pickering-George has filed several motions in this Court, including an "emergency motion" for stay or injunction pending appeal. These motions refer to Pickering-George's action in the District Court of Delaware, Pickering-George v. United States Attorneys' Offices, et al., No. 13-cv-00126, which was dismissed as malicious by order entered May 7, 2013.¹ There being no basis for relief here, Pickering-George's

¹ The District Court denied the motion for reconsideration and Pickering-George filed a notice of appeal. That appeal is not at issue here.

outstanding motions are denied.